

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MARION CIRCUIT COURT

AVC NO. 01-009

IN RE: LEROY LUCAS and BRENDA)
 LUCAS, individually and doing)
 business as MERIDIAN AUTO)
 SALES,)
)
 Respondents.)

FILED

JAN 30 2001

Sarah M. Taylor
CLERK OF THE
MARION CIRCUIT COURT

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Mary Ann Wehmuller, and the Respondent, LeRoy and Brenda Lucas, individually and doing business as Meridian Auto Sales, enter into an Assurance of Voluntary Compliance (Assurance) pursuant to Indiana Code § 24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law, and upon consent of the parties.

The parties agree:

1. Respondents are individuals engaged in the sale of used automobiles in Marion County, with a principal place of business at 30 East Morris Street, Indianapolis, Indiana 46225 and transact business with Indiana consumers.

2. The terms of this Assurance apply to and are binding upon Respondents, their employees, agents, representatives, successors, and assigns.

3. Respondents acknowledge the jurisdiction of the Consumer Protection Division of the Office of the Attorney General to investigate matters hereinafter described, pursuant to the authority of Ind. Code §4-6-9-4 and Ind. Code §24-5-0.5-1 *et seq.*

4. Respondents shall not make, cause to be made, or permit to be made, expressly or by implication, any representation, orally or in writing, regarding their ability to deliver certificates of title for motor vehicles to vehicle purchasers unless Respondents actually intend to provide and, in fact, provide consumers with motor vehicle certificates of title as represented.

5. Respondents agree to immediately comply with all provisions of Ind. Code §9-17-3-3, including but not limited to:

- a. endorsing the certificate of title for a vehicle which is sold or has ownership transferred by Respondents;
- b. delivering the endorsed certificate of title to the purchaser or transferee at the time of sale or delivery;
- c. if the conditions under Ind. Code §9-17-3-3(a)(4) (A-D) are met, delivering the endorsed certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale.

6. Respondents agree to immediately comply with all provisions of Indiana Code §9-18-26-10 and 140 I.A.C. 3.5-2-15, including but not limited to, issuing no more than one interim plate to the purchaser of a motor vehicle.

7. Upon execution of this Assurance, Respondents shall pay costs in the amount of Five Hundred Dollars (\$500.00) to the Office of the Attorney General.

8. Respondents shall not represent that the Office of the Attorney General approves or endorses Respondents' past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

9. Respondents shall fully cooperate with the Office of the Attorney General in the resolution of any future written complaints the Consumer Protection Division receives.

10. The Office of the Attorney General shall file this Assurance with the Circuit Court of Marion County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

DATED this 30th day of Jan, 2001.

STATE OF INDIANA

RESPONDENTS

STEVE CARTER
Attorney General of Indiana

LEROY LUCAS and BRENDA LUCAS,
individually and doing business as
MERIDIAN AUTO SALES

By: Mary Ann Wehmüller
Mary Ann Wehmüller
Deputy Attorney General
Atty. No. 0015251-49A
Office of Attorney General
402 W. Washington, 5th Floor
Indianapolis, Indiana 46204
Telephone: (317) 233-3973
Maw:13110

By: LeRoy Lucas
LeRoy Lucas
By: NO LONGER A PARTNER
Brenda Lucas

APPROVED this _____ day of _____, 2001.

JAN 30 2001

William T. Lawrence
Judge, Marion Circuit Court